



**ZONING BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
SEPTEMBER 21, 2020**

A virtual meeting of the City of Zoning Board of Adjustment was conducted by electronic means on Monday, September 21, 2020 as permitted during this State of Emergency due to the COVID 19 pandemic.

Chairman Urban called the meeting to order at 6:13 p.m. Land Use Administrator Lillian Glazewski called the roll. Present at the meeting were Chairman Urban, Commissioners Adams, Pineiro, DiLullo, Calcaterra, Iapicca and Gamal. Commissioners Lombardi and DeRos were absent.

Also present were Richard Campisano, Esq., Board Counsel, Robert Russo, PE, City Engineer, Malvika Apte, PP, consulting City Planner, Lillian Glazewski, Land Use Administrator and Alicia Losonczy, Zoning Officer.

After the Pledge of Allegiance to the Flag, Chairman Urban declared a quorum and advised that the Board had complied with the Open Public Meetings Act/Sunshine Law.

Chairman Urban read a proclamation recognizing Lillian Glazewski for her 25 years of service to the City of Bayonne and named September 30, 2020 as Lillian Glazewski Day in the City of Bayonne in honor of her retirement.

Adoption of Minutes:

Chairman Urban called for the adoption of the minutes from the August 17, 2020 regular meeting.

Commissioner Pineiro made the motion to adopt the minutes and Commissioner Calcaterra seconded the motion. A unanimous vote of eligible members followed.

Communications:

There were no communications.

Public Hearing:

Z-20-011 40 COTTAGE STREET, LLC – Site: 80 - 84 East 25th Street in City Block 53, Lot 43 *[The applicant is seeking preliminary and final major site plan approval along with use variance relief to allow the use of the warehouse for the storage of non-hazardous housewares and furniture.]*

Paul Weeks, Esq., attorney for the applicant, gave an overview of the application, offered his exhibits into evidence and called his first witness.

Witness:

Steve Kawalek, Architect, was sworn to provide expert testimony in support of the application. Mr. Kawalek testified that the applicant retained him to prepare the site plan for the application. He gave an overview of the project and described the nature of the application. He said that the applicant is requesting approval for a use variance for the existing one-story, detached building as a warehouse for long-term storage. Mr. Kawalek further provided testimony to discuss the parking requirement of six cars based on the 6,000 square foot warehouse.

Board questions:

Commissioners Gamal, Adams, Pineiro, Chairman Urban and Commissioner DiLullo questioned Mr. Kawalek. Ms. Apte also questioned Mr. Kawalek.

Audience questions:

Mr. Robert Dodd of 74 East 25th Street questioned Mr. Kawalek and advised there is no fire suppression system in the building. He said he is aware that there is no water supplied into the building and no bathroom either.

A brief recess was taken from 7:16 – 7:22 to give Mr. Weeks' client an opportunity to resolve his audio issue.

Witness:

Louis Felix, the Vice president of Seka Moving Company (the tenant), called in to the landline through the Land Use office to discuss the business plan. Mr. Felix was sworn in and testified that the building will be used for overflow of household belongings for long-term storage under his two-year lease. He advised that all loading and unloading happens inside the warehouse. Mr. Felix was in agreement with a limitation of hours in order to be considerate of the neighbors. He stated employees only visit the premises to leave storage crates and no one will be physically stationed at this location to work on a permanent basis. Mr. Felix testified that an electric forklift will be used to move the pods/storage crates storing household items and furniture.

Board questions:

Commissioner Pineiro, Chairman Urban, Commissioner DiLullo and consulting City Planner Mika Apte questioned Mr. Felix.

Audience questions:

There were no questions from the audience for this witness.

Witness:

Michael Riela, the property owner, was sworn in and testified that he acquired the property in 2017. Mr. Riela stated he would update the façade by painting the new garage door to match as one uniform color. He testified that there is no fire suppression system and the only utility that comes into the building is electrical.

Board questions:

Chairman Urban, Commissioner Pineiro and consulting City Planner Malvika Apte questioned Mr. Riela.

Audience questions:

Mr. Robert Dodd of 74 East 25th Street questioned if Mr. Riela would repair the broken window on the east side of the building and the broken brick on the façade.

Closing remarks:

Paul Weeks, Esq., said that he would rely on the testimony given by his witnesses and he respectfully requested the Board approve this application.

Caucus:

Chairman Urban said that he felt this project would not be a good fit for the neighborhood and stated that he would not be voting in favor of it. All commissioners concurred with Chairman Urban except Commissioner DiLullo thought it might be acceptable if given strict terms regarding the size and amount of trucks as well as hours of operation.

Motion:

Commissioner Adams made a motion to approve the application subject to any and all conditions spread across the record. Commissioner Pineiro seconded the motion. All Commissioners voted no except Commissioner DiLullo who voted in favor of the application conditionally on certain requirements becoming part of the approval.

Adoption of Resolutions:

- **Z-19-005 – ANTONIO SUAREZ – Site: 48 West 51st Street in City Block 53, Lot 43**
 - Commissioner Adams made a motion to adopt the resolution Commissioner DiLullo seconded the motion. A unanimous vote of eligible members followed.

A motion was made to close the meeting at 8:25 p.m.

Susan Bischoff, Certified Shorthand Reporter, took a transcript of the meeting.

/akl